Maharishi Mahesh Yogi Vedic Vishwavidyalaya Adhiniyam, 1995

Act 37 of 1995

Keyword(s):
Academic Council, Academic Staff, Board of Management, Board of Studies, Chancellor, College, Department, Distance Education System, Employee, Finance Committee, Hall, Institution, Planning Board, Principal, Recognized Institution, Recognized Teachers, School, Teacher of University, University

MADHYA PRADESH ACT
No. 37 OF 1995.
MAHARISHI MAHESH YOGI VEDIC VISHWAVIDYALAYA
ADHINIYAM, 1995.

Sections:

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An Act to establish and incorporate a University in the State of Madhya Pradesh and to provide for education and prosecution of research in Vedic learnings and practices and to provide for matters connected therewith or incidental there to.

Be it enacted by the Madhya Pradesh Legislature in the Forty sixth year of the Republic of India as follows: —

Short title and commencement

1. (1) This Act may be called the Maharishi Mahesh Yogi Vedic Vishwavidyalaya Adhiniyam, 1995.

(2) It shall come into force on such date as the State Government may, by notification in the official gazette, appoint.

Definitions

2. In this Act, unless the context otherwise requires,-

(a) "Academic Council" means the Academic Council of the University;

(b) "Academic Staff" means such categories of staff as are designated as academic staff by the ordinances;

(c) "Board of Management" means the Board of Management of the University;

(d) "Board of Studies" means the Board of Studies of the University;

(e) "Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" means, respectively, the Chancellor, Vice Chancellor and Pro-Vice-Chancellor of the University;

(f) " College" means a College maintained by the University;

[1]"(ff) "Commission" means the University Grants Commission established under the University Grants Commission Act, 1956 (No. 3 of 1956)";

(g) “Department” means a department of Studies; and includes a Center of Studies;
(h) “Distance education system” means the system of imparting education through any means of communication, such as broadcasting, telecasting, correspondence courses, seminars, contact programmes or the combination of any two more such means;
(i) “Employee” means any person appointed by the University, and includes teachers and other staff of the University;
(j) “Finance Committee” means the Finance Committee of the University;
(k) “Hall” means a unit of residence or of corporate life for the students of the University, or of a College or of an Institution maintained by the University;
(l) “Institution” means an academic institution, not being a college, maintained by the University;
(m) “Planning Board” means the Planning Board of the University;
(n) “Principal” means the Head of a College or an Institution maintained by the University, and includes, where there is no Principal, the person for the time being duly appointed to act as Principal, and, in the absence of the Principal or the acting Principal, a Vice- Principal duly appointed as such;
(o)“recognised institution” means an institution of higher learning recognised by the University;
(p)“recognised teachers” means such persons an may be recognised by the University for the purpose of imparting instructions in a college or an Institution maintained by the University,
(q) “Regulations” means the Regulations made by any authority of the University under this Act for the time being in force;
(r) “School” means a School of Studies of the University;
[2](rr) "Sponseing Body" means the Maharishi Ved Vigyan Vishwavidhyalaya Peetham”.
(s) “Statutes” and “Ordinances” means, respectively, the Statutes and Ordinances of the University for the time being in force;
(t) “teachers of the University” means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instruction or conducting research in the University or in any College or

Institution maintained by the University and are designated as teachers by the Ordinances;

(u) “University” means the Maharshi Mahesh Yogi Vedic University established under this Act;

(v) “Year” means the twelve months period ending on thirtieth of June.

The University

3. (1) There shall be established a University by the name of Maharshi Mahesh Yogi Vedic Vishwavidyalaya.

(2) The head quarters of the University shall be at village Karondi, Tehsil Sihora, District Jabalpur, Madhya Pradesh and it may also establish campuses at such other places within its jurisdiction as it may deem fit.

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(3) The first Chancellor, Vice - Chancellor, and the first Members of the Board of Management of the Academic Council or Planning Board and all person who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted into a body corporate by the name of Maharshi Mahesh Yogi Vedic University.

Powers of the university

[3]4. The University shall have the following powers, namely : -

(i) to provide for instruction only in all branches of Vedic Learning and Practices including Darshan, Agam Tantra, Itihas, Puranas, Upvedas and Gyan-Vigyan and the promotion and development of the study of sanskrit as the University may from time to time determine and to make provision for research and for the advancement in the above fields and in these fields may-

(a) grant, subject to such conditions as the University may determine, diplomas or certificates and confer degrees or other academic distinctions on the basis of examination, evaluation or any other method of testing on, persons and withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

(b) organise and under take extra mural studies, training and extension services;

(c) confer honorary degrees or other distinctions in the manner prescribed by the Statutes;

(d) provide facilities through the distance education system;

(e) recognise an institution of higher learning for such purposes as the University may determine and withdraw such recognition;

(f) co-operate of collaborate or associate with any other University or authority or institution of higher learning in such manner and for such purposes as the University may determine;

(g) institute and award fellowships, scholarships, stipends, medals and prizes;

(h) make provision for research and advisory services and for that purpose enter into such arrangements with other institutions, industrial or other organisations, as the University may deem necessary;

(i) organise and conduct refresher courses, orientation courses, workshops, seminars and other programmes for teachers evaluators and other academic staff;

(ii) to recognise persons for imparting instruction in any college or institution maintained by the University;

(iii) to appoint persons working in any other University or organisation as teacher of the University for a specified period;

(iv) to create teaching administrative, ministerial and other posts and to make appointments thereto;

(v) to establish such campuses, special centres, specified laboratories or other units for research and instruction as are in the opinion of the University necessary for the furtherance of its objects;

(vi) to establish and maintain colleges Institutions and Halls;

(vii) to make special arrangements in respect of the residence discipline and teaching of women students as the University may consider desirable;

(viii) to appoint on contract or otherwise visiting Professors Emeritus, Professors,

Consultants, Scholars and such other persons who may contribute to the advancement of the objects of the University;

(ix) to confer autonomous status on a college or an Institution or a Department as the case may be, in accordance with the statutes;

(x) to determine standards of admission to the University which may include examination, evaluation or any other method of testing;

(xi) to fix quota for students belonging to the Scheduled Castes and the Scheduled Tribes for admission purposes;

(xii) to demand and receive payment of fees and other charges;

(xiii) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;

(xiv) to lay down conditions of service of all categories of employees, including their code of conduct;

(xv) to regulate and enforce discipline among the students and the employees, and to take such disciplinary measures in this regard as may be deemed by the University to be necessary;

(xvi) to make arrangements for promoting the health and general welfare of the employees;

(xvii) to receive benefications donations and gifts and to acquire, hold, manage and dispose of any property, movable or immovable including trust and endowment properties for the purposes of the University;

(xviii) to borrow on the security of the property of the University, money for the purposes of the University;

(xix) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects:

Provided that no course shall be conducted and no centres shall be established

or run without prior approval of the State Government.

Jurisdiction

5. The jurisdiction of the University shall extend to the whole of the State of Madhya Pradesh.

University open to all classes casts and creed

6. The University shall be open to all persons of either sex and of whatever caste, creed, race, class, place of domicile and it shall not be lawful for the University to adopt or impose on any persons, any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or be admitted as a student in the University or to graduate thereat or to enjoy or exercise any privilege thereof:

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the employment or promotion of educational interests of women, physically handicapped or of persons belonging to the weaker sections of the society and, in particular, of the Scheduled Castes and the Scheduled Tribes.

Residence of Student

7. Every student of the University other than a student who pursues a course of study by distance education system, shall normally reside in a Hall or hostel under such conditions as may be prescribed by the Ordinances.

Officers of the University

8. The following shall be the officers of the University::-

(1) the Chancellor;
(2) the Vice – Chancellor;
(3) The Pro-Vice-Chancellor;
(4) The Deans of Schools;
(5) The Registrar;
(6) The Finance Officer; and
(7) Such other officers as may be declared by the Statutes to be officers of the University.

The Chancellor

9. (1) Maharshi Mahesh Yogi shall be the first Chancellor and shall hold office during his lifetime.

[4](2) after the first chancellor, the Board of Management shall prepare and submit a panel of three persons to the state Government. Out of the panel one person shall be appointed as Chancellor by the Board of Management after obtaining the approval of the State Government. The Chancellor so appointed shall hold office for a term of four years and shall be eligible for re-appointment.

(3) The Chancellor shall by virtue of his office, be the head of the University.

(4) the Chancellor shall, if present, preside at the convocation of the University held for conferring degrees, and may be delegated such powers as may be necessary.

The Vice Chancellor.

10. (1) The Vice-Chancellor shall be appointed by the Chancellor in such manner as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal executive and academic head of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice - Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such Authority the action taken by him on such matter:

Provided that if the Authority concerned is of opinion that such action ought not to have been taken it may refer the matter to the Chancellor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice - Chancellor under this sub-section shall have the right to appeal against such action to the Board of Management within three months from the date on which decision or such action is communicated to him and thereupon the Board of Management may confirm modify or reverse the action by the Vice - Chancellor.

(4) The Vice-chancellor, if he is of the opinion that any decision of any authority of the University is beyond the powers of the authority conferred by the provisions of this Act, the Statutes or the Ordinances or that any decision taken is not in the interest of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review the decision either in whole or in part or no decision is taken by it within the said period of sixty days, the matter shall be referred to the Chancellor whose decision thereon shall be final.

(5) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be prescribed by the Statutes or the Ordinances.

The Pro- Vice-Chancellor

11. One or more Pro-Vice-Chancellor may be appointed in such manner and shall exercise such powers and perform such duties as may be- prescribed by the Statutes.

Deans of Schools.

12. Every Dean of a School shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

The Registrar

13. (1) The Registrar shall be appointed in such manner as may be prescribed by the Statutes.

(2) The Registrar shall have the power to enter into agreement sign documents and authenticate records on behalf of the University and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

The Finance Officer.

14. The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Other Officers

15. The manner of appointment and powers and duties of the other officers of the University shall be prescribed by the Statutes.

Authorities of the University

16. The following shall be the authorities of the University, namely:-

(I) the Board of Management;
(2) the Academic Council;
(3) the Planning Board;
(4) the Boards of Studies;
(5) the Finance Committee; and
(6) such other authorities as may be declared by the Statues to be the authorities of the University.

The Board of Management

17. (1) The Board of Management shall be the Principal executive body of the University and shall consist of-

(i) Vice-Chancellor;
(ii) Pro-Vice-Chancellors;

(iii) Dean of Schools of studies to be appointed by the Vice-Chancellor by rotation according to seniority;

(iv) one Head of Department of the University, who is not a Dean, to be nominated by the Vice-Chancellor by rotation according to seniority;

(v) one Professor, who is not a Dean or Head, to be appointed by the Vice-Chancellor by rotation according to seniority ;

(vi) one Reader, who is not a Head, to be appointed by the Vice-Chancellor by rotation according to seniority;

(vii) one Lecturer to be appointed by the Vice- Chancellor by rotation according to seniority;

[5](Viii) Principal secretary/secretary-in-charge of Higher Education Department. Or his nominee not below the rank of Deputy Secretary;

[6](ix)two renowned scholar in the field of eduction to be nominated by the State Government;

[7](x)Four persons of distinction in Vedic education and public life to be nominated by the Chancellor.

(2) All members of the Board of Management, other than ex- officio members, shall hold office for a period of three years from the date of their nomination or appointment as such.

(3) Seven members of the Board of Management shall form quorum for the meeting of the Board.

Powers and functions of the Board of Management

18. (1) The Board of Management shall have the power of management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject the provisions of tins Act, the Statutes and the Ordinances, the Board of Management shall in addition to all other powers vested in it, have the following powers, namely:-

(i) to create teaching and academic posts, to determine the number and emoluments of such posts and to define the duties and conditions of service of Professors, Readers,

Lecturers and other academic staff and Principals of Colleges and Institutions maintained by the University:

Provided that no action shall be taken by the Board of Management in respect of the number, qualifications and the emoluments of teachers and academic staff otherwise than after consideration of the recommendations of the Academic Council;

(ii) to appoint such Professors, Readers, Lecturers and other academic staff as may be necessary, and Principals of colleges and institutions maintained by the University on the recommendation of the Selection Committee constituted for the purpose and to fill up temporary vacancies therein;

(iii) to create administrative, ministerial and other necessary posts and to make appointments there to in the manner prescribed by the Ordinances;

(iv) to grant leave of absence to any officer of the University other than the Chancellor and the Vice-Chancellor, and to make necessary arrangement for the discharge of the functions of such officer during his absence;

(v) to regulate and enforce discipline among employees in accordance with the Statutes and the Ordinances;

(vi) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University, and for that purpose to appoint such agents as it may think fit;

(vii) to fix limits on the total recurring and the total non-recurring expenditure for a year on the recommendations of the Finance Committee;

(viii) to invest any money belonging to the University, including any unapplied income in such stocks, funds, share or securities from time to time, as it may think fit or in the purpose of immovable property in India, with the like powers of varying such investment from time to time;

(ix) to transfer or accept transfers of any movable or immovable property on behalf of the University;

(x) to provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;

(xi) to enter into, vary. carry out and cancel contracts on behalf of the University;

(xii) to entertain, adjudicate upon, and if considered fit, to redress any grievances of the employees and students of the University who may, for any reason, feel aggrieved;

(xiii) to appoint examiners and moderators and, if necessary, to remove them, and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;

(xiv) to select a common seal for the University and provide for the custody and use of such seal;

(xv) to make such special arrangements as may be necessary for the residence and discipline of women students;

(xvi) to delegate any of its powers to the vice-chancellor, the Pro-Vice-Chancellor, the Deans, the Registrar or the Finance Officer or such other employee or Authority of the University or to a committee appointed by it as it may deem fit;

(xvii) to institute fellowships, scholarships, stipends, medals and prizes;

(xviii) to provide for the appointment of Visiting Professors, Emeritus Professors, Consultants and Scholars and determine the terms and condition of such appointments; and

(xix) to exercise such other powers and perform such other duties as may be conferred or imposed on it by the Act, or the Statute.

The Academic Council

19. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of' this Act, the Statutes and the Ordinances, co-ordinate and exercise general supervision over the academic policies and programmes of the University.

(2) The constitution of the Academic Council, the term of office of its members and its powers and functions shall be prescribed by the Statutes;

The Planning Board

20. (1) The Planning Board shall be the principal planning body of the University.

(2) The constitution of the Planning Board, term of office of its members and its powers and functions shall be prescribed by the Statues;

Provided that representation shall also be given to non-teaching staff in the Planning Board.

The Board of School

21. The constitution, powers and functions of the Boards of Schools shall be prescribed by the Statutes.

The Finance Committee

22. The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

Other authorities of the University

23. The constitution, powers and functions of other authorities, as may be declared by the Statutes to be the Authorities of the University shall be prescribed by the Statutes.

Power to make statutes

24. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-

(a) the constitution, powers and functions of the authorities and other bodies of the University, as may be constituted from time to time;

(b) the election and continuance in office of the members of the said authorities and bodies including the filling up of vacancies of members and all other matters relating to those authorities and bodies;

(c) the appointment, powers and duties of the officers of the University and their emoluments;

(d) the appointment of teachers, academic staff and other employees of the University, their emoluments and other conditions of service including disciplinary matters;

(e) the appointment of teachers, academic staff working in any other University or organisation for a specific period for undertaking a joint project;

(f) the procedure for arbitration in cases of dispute between employees or students and the university;

(g) the procedure for appeal to the Board of Management by any employees or student against the action of any officer or authority of the University;

(h) the conferment of autonomous status on a College or an Institution or a Department;

(i) the establishment and abolition of Schools, Departments, Centres, Halls, Colleges and Institutions;

(j) the conferment of honorary degrees;

(k) the withdrawal of degrees, diplomas, certificates and other academic distinction;

(l) the institution of fellowships, Scholarships, stipends, medals and prizes;

(m) The delegation of powers vested in the authorities or officers of the University;

(n) the maintenance of the discipline among the employees and students;

(o) all other matters required by this Act to be provided for by the Statutes;

Statutes how to be made

25. (1) The Board of Management may, from time to time, make Statutes consistent with the objects of the Act:

Provided that the Board of Management shall not make, amend or repeal any statute affecting the status, powers or constitution of any Authority of the University until such Authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Board of Management.

(2) Every Statute or any amendment or repeal of a Statute shall require the assent of the Chancellor who may assent thereto or withhold assent or remit the same to the Board of Management for reconsideration.

(3) Notwithstanding anything contained in the foregoing sub-sections the Chancellor in exceptional circumstances, may direct the Board of Management to make provisions in the Statutes in respect of any matter specified by him and if the Board of Management is unable to implement such direction within sixty days of its receipt, the Chancellor may

after considering the reasons, if any, communicated by the Board of Management for its inability to comply with such direction, make or amend the Statutes suitably.

Power to make Ordinance

26. (1) All ordinances shall be made by the vice-chancellor with the previous approval of the Board of Management.

(2) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely :-

(a) The admission of students to the University and their enrolment as such;
(b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;
(c) the medium of instruction and examination;
(d) the award of degrees, diplomas, certificates and other distinctions the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;
(e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;
(f) the conditions for award of fellowships, scholarships, stipends medals and prizes;
(g) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies examiners and moderators;
(h) the conditions of residence of the students of the University;
(i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;
(j) the appointments and emoluments of employees other than those for whom provision has been made in the statutes;
(k) the establishment of Centres of studies, Borads of studies, Special Centres,

Specialised Laboratories and other Committees;

(l) the manner of co-operation and collaboration with other Universities and authorities including learned bodies or associations;

(m) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;

(n) such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes;

(o) the management of colleges and institutions established by the University;

(p) the setting up of a machinery for redressal of grievances of employees; and

(q) all other matters which by this Act or the statutes are required to be provided for by the ordinances.

Regulations

27. The authorities of the University may in the manner prescribed by the Statutes, make Regulations, consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the Committees, if any, appointed by them and not provided for by this Act, the Statutes or the Ordinances.

Annual Report

28. (1) The annual report of the University including the annual accounts and balance sheet duly audited by a chartered accountant, shall be prepared for each year under the direction of the Board of management, which shall include, among other matters, the steps taken by the University towards the fulfilment of its objects.

(2) The annual report so prepared shall be submitted to the Chancellor on or before the thirty-first of December of each year.

(3) A copy of the annual report prepared under sub-section (I) shall also be submitted to the State Government on or before the thirty-first of December of each year which shall as soon as may be, cause the same to be laid before, the Legislative Assembly.

Conditions of service of employees

29. (1) Every employee of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

(2) Any dispute arising out of the contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of member appointed by the Board of Management, one member nominated by the employee concerned and an umpire appointed by the Chancellor.

(3) The decision of the Tribunal in such matter shall be Final.

(4) The procedure for regulating the work of the Tribunal shall be prescribed by the Statutes.

Procedure of appeal and arbitration in disciplinary cases against students

30. (1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the Case may be, and who has been debarred from appearing at the examinations of the University for more than one year, may within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Board of Management and the Board of Management may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of arbitration and the provisions of sub-section (2), (3) and (4) of section 29 shall, as far as may be, apply to reference made under this subsection.

Right to appeal

31 Every employee or student of the University or of a college or Institution maintained by the University shall, notwithstanding any thing contained in this act, have a right to appeal within such time as may be prescribed by the Statutes, to the Board of Management against the decision of any officer or authority of the University or of the Principal of any college or institution, as the case may be, and thereupon the Board of Management may confirm, modify or reverse the decision appealed against.

Establishment of Endowment Fund

[8]31-A (1) The sponsoring body shall establish a Fund called permanent Endowment Fund in which it shall invest and keep invested in securities issued or guaranteed by the State Government

(2) The permanent endowment fund shall consist of a sum of rupees two and half crores or a sum equivalent to the recurring expenses for three years whichever is more to be kept in long term interest bearing securities of the State Government or any such other securities as the State Government may approve in this behalf.

General Fund

[9]31-B The University shall also have a fund called the General Fund which shall consist of

(a) fees and other charges received by the university;

(b) Income from the Permanent Endowment fund;

© Income from any other source; and

(d) any contributions made by the sponsoring body

University to be Self Financing

[10]31-C The university shall not be entitled to receive grant – in – aid or other financial assistance from the State Government or from any other institution owned or controlled by it.

Provident and pension funds

32. The University shall constitute for the benefit of its employees such provident or pension fund and provide such insurance schemes as it may deem fit in such manner and subject to such condition as may be prescribed by the Statutes.

Disputes as to constitution of University authorities and bodies

33. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

Constitution of committees

34. Where any authority of the University is given power by the Act or the Statutes to appoint Committees, such committees shall, save as otherwise provided, consist of the members of the authority concerned

and of such other person, if any, as the Authority in each case may think fit.

filling of casual vacancies

35. All casual vacancies among the members (other than ex-officio members of any Authority or other body of the University shall be filled, as soon as may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant and the person so appointed, elected or co-opted to the casual vacancy shall be a member of such authority or body for the residue of the term of the person whose place he fills.

Proceedings of University authorities or bodies not invalidated by vacancies

36. No Act or proceedings of any Authority or other body of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

Protection of action taken in good faith

37. No suit or other legal proceedings shall lie against any officer or other employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or the Ordinances.

[11]37-A. (1) If the State Government notices violations of any of the provisions of this Act and the direction issued by it to the university under this Act or on receipt of a complaint of mismanagement by the university, it shall issue a notice to the University calling upon the University to show cause within such time not less than forty five days as to why the diplomas or certificates to be granted or degrees and other academic distinction to be conferred should not be ordered to be derecognised by the State Government.

(2) If, upon receipt of the reply of the University to the notice under sub-section (1), the State Government is satisfied that a prima-facie case of mismanagement or violation of the provisions of this Act or any directions issued thereunder is made out, it shall order such inquiry as it may deem necessary.

(3) For the purposes of any inquiry under subsection (2), the State Government shall, by notification in the official Gazette appoint an officer or authority as the inquiring authority to inquire into and report upon the allegations.

(4)Every inquiring authority appointed under sub-section (3) shall have the same powers as are vested in a Civil Court under the code of Civil Procedure, 1908 (No. 5 of 1908) while trying a suit, in respect of following matters, namely :-

(a) summoning and enforcing the attendance of any witnesses and examining him on oaths;

(b) requiring the discovery and production of any document or other material which is producible as evidence;

© requisitioning of any public record any court of office;

(d) any other matter which may be prescribed by rules.

(5) Every inquiring authority making an inquiry under this Act shall be deemed to be a Civil Court for the purposes of Section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (No.2 of 1974).

(6) If, upon receipt of the inquiry report the State Government is satisfied that the University has been mismanaged or has violated any of the directions of the State Government or provisions of this Act, it shall by notification in the Official Gazette, order derecognition of the diplomas or certificates to be granted or degree and other academic distinctions to be conferred from the ensuing session.

(7) Every notification issued under sub-section (6) shall be laid before the Madhya Pradesh Legislative Assembly.

Power of the State Government

[12]37 B The State Government shall have the following powers, namely :-

(a) to approve the appointment of Chancellor ;

(b) to issue directions to do any thing required to be done by the University under the provisions of this Act, Rules, the Statutes, or

the Ordinances made thereunder or to rectify any violation thereof ;

© to adjudicate disputes under this Act between the University, the Commission or any other expert body and to issue directions to comply with its decisions on such disputes;

(d) to order framing of Statutes under section 24 on particular subjects;

(e) to generally issue such order as may be required to be followed by the University under this Act or any other law for the time being in force.

Transitional provisions

38. Notwithstanding anything contained in this Act and the Statutes :-

(a) the first Vice-Chancellor shall be appointed by the chancellor and the said officer shall hold office for a term of five years;

(b) the first Registrar and the first Finance Officer shall be appointed by the Chancellor and each of the said officers shall hold office for a term of three years;

(c) the first Board of Management shall consist of not more than eleven members who shall be nominated by the Chancellor and they shall hold office for a term of three years;

(d) the first Academic Council and the first Planning Board shall be nominated by the Chancellor for a term of three years;

Provided that if any vacancy occurs in the above offices or Authorities, the same shall be filled by appointment or nomination, as the case may be, by the Chancellor and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he is appointed or nominated would have held that office, if such vacancy had not occurred.

Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before Legislative Assembly

39. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

(2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after

it is made, before the Madhya Pradesh Legislative Assembly.

(3) The Power to make Statutes, Ordinances or Regulations shall include the power to give retrospective effect from a date not earlier than the date of commencement of this Act, to the Statues, Ordinances or Regulations or any of them but no retrospective effect shall be given to any Statute, Ordinance or regulation so as to Prejudicial affect the interest of any person to whom such Statute, Ordinance or regulation may be applicable.

[1-12] Maharishi Mahesh Yogi Vaidik Vishwavidyalaya (Sanshodhan) Adhiniyam,1999